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UNCLAS YEREVAN 001529

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FRANKFURT FOR RSC/RCO

E.O. 12958: N/A  
TAGS: CVIS PREL AM  
SUBJECT: ARMENIAN MFA PROPOSES A2 VISA FOR NKR REP

REF: Stickles-Tatuch emails

This is an action request, please see paragraph 6.

¶1. SUMMARY: The issue of travel documents and visas for representatives of the "Nagorno Karabakh Republic" (NKR) to travel to the United States remains controversial. While it has been USG policy that it is useful for the NKR to have a voice in Washington, any recognition of the independence of this territory is contrary to U.S. policy. Recognition of these individuals as officials of the Republic of Armenia also contradicts U.S. policy which recognizes the territorial integrity of the Republic of Azerbaijan. That means we would not recognize a travel document issued by the NKR nor have we granted a diplomatic visa to their representatives. We seek guidance in how to issue a visa to the new permanent representative of the NKR which allows him and his family to enter the U.S. without frequent returns to Armenia for visa renewal. END SUMMARY.

¶2. Past practice has been for us to issue B1/B2 visas which only allow for a six-month duration of stay in the United States. Thus previous representatives have worried that they would not be allowed to extend their stay in the U.S. in order to complete their tours of duty. For several years Post issued a letter to DHS in support of the NKR representative's extension of stay, but that backfired last August when the Customs and Border Patrol (CPB) inspector at the port of entry took exception to the letter.

¶3. During last year's discussion of the NKR representative's visa options via email, VO pointed out that use of a B1/B2 visa for such long-term stay in the U.S. can generate a suspicious travel pattern. Indeed, another individual in a similar situation, the director of the All-Armenia Fund office in Los Angeles went back and forth between Armenia and the U.S. every six months for several years until recently when his travel pattern was questioned by a CPB inspector. The subsequent misunderstandings during questioning in secondary resulted in the inspector giving the Fund director a permanent ineligibility, which we are still trying to erase from his record.

¶4. The Armenian MFA reports that Deputy Foreign Minister Kirakossian recently raised with U.S. Minsk Group representative Steve Mann the idea of issuing an A2 visa in an Armenian Diplomatic Passport to the NK representative. Kirakossian claims that Amb. Mann reacted favorably to this idea.

¶5. While the MFA proposal would allow for residence in the U.S., Post believes the MFA proposal would engender the very diplomatic problems that the policy of issuing of B1/B2 visas has sought to avoid.

¶6. Post requests guidance on the appropriate type of visa to issue. If the decision is to continue to issue B1/B2 visas, reciprocity now allows for one-year multiple-entry visas. In that case, Post requests guidance on the best way to alert DHS to this non-standard application of a B1/B2 visa and the need for one or more extensions of stay.

EVANS